

UNITED STATES DISTRICT COURT
for the
Western District of North Carolina

United States of America)	
v.)	
ANTHONY SCOTT LEACH)	Case No: <u>DNCW509CR000016-001</u>
Date of Original Judgment: <u>October 6, 2010</u>)	USM No: <u>23342-058</u>
Date of Last Amended Judgment: <u>N/A</u>)	<u>Thomas Cochran</u>
)	Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 262 mths is reduced to 188 mths. each ct. cc., & 4 years TSR

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Original Offense Level: 34 Amended Offense Level: 33*

Criminal History Category: VI Criminal History Category: VI

262 to 327 months	188 to 235 months
custody; Ct. 1 TSR: At	custody, Cts. 1&2 TSR:
least 5 years, Ct. 2 TSR: At	

Original Guideline Range: least 4 years Amended Guideline Range: At least 4 years, cc.

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing and the reduced sentence is comparably less than the amended guideline range.
- The reduced sentence is above the amended guideline range.
- Other (explain): *The statutory penalties changed to 5 to 40 years custody and a term of "at least 4 years" supervised release in Count One (due to Dorsey v. United States); therefore, the Amended Offense Level changed one level after considering the defendant's Career Offender status and calculations.

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated October 6, 2010, shall remain in effect.

IT IS SO ORDERED.

Order Date: January 14, 2013

Effective Date: _____
(if different from order date)


 Richard L. Voorhees
 United States District Judge


